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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/047,191

11/07/2001

Daniel A. Henderson

3052/117

4206

7590

01/23/2007

Robert K. Tendler
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Boston, MA 02110

EXAMINER

ANWAH, OLISA

ART UNIT

PAPER NUMBER

2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/047,191

Applicant(s)

HENDERSON, DANIEL A.

Examiner

Olisa Anwah

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/26/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 30-40 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bodet et al, U.S. Patent No. 5,430,439 (hereinafter Bodet).

Regarding claim 30, Bodet discloses a method for displaying messages on a display of a personal communication device, comprising the steps of:

storing in a memory of the personal communication device a contact database having a plurality of entries, each entry comprised of at least one telephone number and one name corresponding to at least one telephone number;

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receiving data in a wireless signal, said received data including at least one a telephone number or name;

comparing said received data with the contact database, to determine if the telephone number or name received matches a telephone number or name in any of the contact database entries;

displaying contact database data on the display of the personal communication device that corresponds to the received data; and

displaying on the display of the personal communication device a message prompting the user to enter additional data corresponding to the received data, if the received data in the received data does not match any telephone number or name in the contact database (see Figure 2 and column 4).

Regarding claim 31, see Figure 2 and column 4.

Regarding claim 32, see Figure 2 and column 4.

Regarding claim 33, Bodet discloses a portable communication device comprising:

a receiver for receiving a radio frequency signal;

a microprocessor for extracting a message from the radio frequency signal, the message including a telephone number of the sending party;

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a memory for storing a personal name directory including a plurality of entries, each entry comprising at least one telephone number and at least one name associated with said telephone number;

a comparator for searching the personal name directory to determine a match between the telephone number in the received message and a telephone number in any of the entries of the personal name directory; and

a display for displaying data from the personal name directory entry corresponding to the telephone number in the received message, such that the display displays a message prompting a user to enter additional data for the telephone number received in the message if the telephone number received in the message does not match a telephone number in the personal name directory (see Figure 2 and column 4).

Regarding claim 34, see Figure 2 and column 4.

Regarding claim 35, see Figure 1 and column 4.

Regarding claim 36, see Figure 2 and column 4.

Regarding claim 37, see Figure 1 and column 4.

Regarding claim 38, Bodet discloses a selective call receiver including:

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a receiver for receiving a radio frequency signal;

a microprocessor for extracting a message from the radio frequency signal, the message including a telephone number of the party who sent the message;

a display for displaying the message; the improvement comprising:

a memory for storing a personal name directory including a plurality of entries, each entry comprising at least one telephone number and at least one message associated with the at least one telephone number;

a unit for searching the personal name directory to determine a match between the telephone number in the received message and a telephone number in any of the entries of the personal name directory for displaying on the display a message of the personal name directory entry corresponding to the telephone number in the received message or displaying a default message indicating that the telephone number in the received message is not in the personal name directory entries and for displaying a message prompting a user to create an entry for the telephone number received in the paging message (see Figure 2 and column 4).

Regarding claim 39, see Figure 1 and column 4.

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Regarding claim 40, see Figure 2 and column 4.

Response to Arguments

3. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.

Olisa Anwah
Patent Examiner
December 29, 2006



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600